

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated May 19, 2004 has been received and its contents carefully reviewed.

Claims 1-20 are currently pending, wherein claim 4 has been amended to correct a typographical error. Favorable reconsideration of the pending claims is respectfully requested.

In paragraph 2 of the Office Action, the Examiner objects to claim 4 under 37 CFR 1.75(a) because it incorrectly depends from itself. Claim 4 has been amended to correct the typographical error, thereby rendering this rejection moot.

In paragraph 4 of the Office Action, the Examiner rejects claims 1-8 and 11 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 5,883,971 to Bolle et al. ("Bolle"). Applicants respectfully traverse this rejection.

In order to support a rejection under 35 U.S.C. §102, the cited reference must teach each and every claimed element. In the present case, claims 1-8 and 11 are not anticipated by Bolle for at least the reason that Bolle fails to disclose each and every claimed element as discussed below.

Independent claim 1 defines a method for processing an image that includes, *inter alia*, associating the subject image portion with a third image intensity, wherein the third image intensity is less than the first image intensity associated with the subject image portion.

In rejecting claim 1, the Examiner asserts that Bolle discloses associating the image portion with a third image intensity inasmuch as Bolle discloses a method that includes determining the mean intensity of ridge pixels, the standard deviation of the intensities of all the pixels within the same block, and comparing these values to determine whether a block is a

smudged block. However, nowhere in Bolle is there any disclosure or suggestion of associating the subject portion/block with a third intensity as claimed. The method of Bolle is directed to determining the quality of a captured fingerprint image such that poor images may be recaptured, not to enhancing the edges of the captured fingerprint. By definition, fingerprint images are not enhanced, as such enhancement can alter the fingerprint. Accordingly, independent claim 1 is patentably distinguishable over Bolle.

Claims 2-8 and 11 variously depend from independent claim 1. Therefore, claims 2-8 and 11 are patentably distinguishable over Bolle for at least those reasons presented above with respect to claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-8 and 11 under 35 U.S.C. §102(b).

In paragraph 6 of the Office Action, the Examiner rejects claims 9 and 10 under 35 U.S.C. §103(a) as allegedly being unpatentable over Bolle in view of U.S. Patent No. 6,473,092 to Sojourner ("Sojourner"). Applicants respectfully traverse this rejection.

Claims 9 and 10 variously depend from independent claim 1. Therefore, claims 9 and 10 are patentably distinguishable over Bolle for at least those reasons presented above with respect to claim 1. Furthermore, Sojourner fails to overcome the deficiencies of Bolle, more specifically, Sojourner fails to disclose or suggest associating the subject portion/block with a third intensity as claimed.

Since Bolle and Sojourner both fail to disclose or suggest the step of associating the subject portion/block with a third intensity, the combination of these two patents cannot possibly disclose said feature. Therefore, even if one skilled in the art were motivated to combine Bolle and Sojourner, as suggested by the Examiner, the combination would still fail to render claims 9 and 10 unpatentable because the combination fails to disclose each and every claimed element.

In paragraph 7 of the Office Action, the Examiner rejects claims 12-19 under 35 U.S.C. §103(a) as allegedly being unpatentable over Bolle in view of U.S. Patent No. 5,237,316 to Cox, Jr. et al. ("Cox"). Applicants respectfully traverse this rejection.

Independent claim 12 defines a system for enhancing a digitized image that includes, *inter alia*, an edge enhancer operative to detect an edge in a decoded digitized image and to enhance the edge in the decoded digitized image.

Claim 12 is patentably distinguishable over the combination of Bolle and Cox for at least the reason that the combination fails to disclose each and every claimed step. More specifically, the combination of Bolle and Cox fails to disclose or suggest an edge enhancer as claimed.

In rejecting claim 12, the Examiner asserts that Bolle discloses a system comprising an edge enhancer inasmuch as Bolle discloses a system for determining the quality of fingerprint images by determining if the fingerprint ridges or edges are smudge. However, as discussed above with respect to claim 1, nowhere in Bolle is there any disclosure or suggestion of enhancing the edges of the fingerprint images.

Since Bolle and Cox both fail to disclose or suggest a system comprising an edge enhancer operative to detect and enhance an edge in a decoded digitized image as claimed, the combination of these two patents cannot possibly disclose said feature. Therefore, even if one skilled in the art were motivated to combine Bolle and Cox, as suggested by the Examiner, the combination would still fail to render claim 12 unpatentable because the combination fails to disclose each and every claimed element.

Independent claim 18 defines a method for detecting and enhancing an edge in a decoded digitized image that includes, *inter alia*, associating a fourth image intensity with a first pixel, the fourth image intensity being lower than the first image intensity associated with the first pixel. Accordingly, independent claim 18 is patentably distinguishable over the combination of Bolle

and Cox for at least the reason that the combination fails to disclose or suggest enhancing an edge in a decoded digitized image as discussed above with respect to claims 1 and 12.

Claims 13-17, and 19 variously depend from independent claims 12 and 18. Therefore, claims 13-17, and 19 are patentably distinguishable over the combination of Bolle and Cox for at least those reasons presented above with respect to claims 12 and 18. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 12-19 under 35 U.S.C. §103(a).

In paragraph 8 of the Office Action, the Examiner rejects claim 20 under 35 U.S.C. §103(a) as allegedly being unpatentable over Bolle in view of Cox, further in view of Sojourner. Applicants respectfully traverse this rejection.

Claim 20 depends from independent claim 18. Therefore, claim 20 is patentably distinguishable over the combination of Bolle and Cox for at least those reasons presented above with respect to claim 1. Furthermore, Sojourner fails to overcome the deficiencies of Bolle and Cox, more specifically, Sojourner fails to disclose or suggest associating the first pixel with a fourth intensity as claimed.

Since Bolle, Cox and Sojourner each fail to disclose or suggest the step of associating the first pixel with a fourth intensity, the combination of these three patents cannot possibly disclose said feature. Therefore, even if one skilled in the art were motivated to combine Bolle, Cox and Sojourner, as suggested by the Examiner, the combination would still fail to render claim 20 unpatentable because the combination fails to disclose each and every claimed element. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 20 under 35 U.S.C. §103(a).

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner

finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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